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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,947	08/10/2001	Matias G. Duarte	4676P013	5408

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EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 05/28/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/927,947

Applicant(s)

DUARTE ET AL.

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 22-27 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the patent application number 09/927,947 filed on August 10, 2001.

Status of the claims

2. The pending claims 1-27 are examined hereby as follows:

Drawings

3. Figures 1, 1A and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11, 14-17, 20, and 22-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Becker et al (US Pub No 2002/0130904).

The invention is related to a system and method of displaying multiple pending notifications in a single window. Likewise, Becker et al ("Becker") is also related to a method, apparatus and computer readable medium for multiple messaging session management with a graphical user interface; and subsequently, Becker discloses the claimed invention as follows.

With regard to claim 1:

Becker discloses a method of displaying a plurality of concurrent IM sessions (e.g., Figs. 1, and 3-8).

As illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses a variable number of session tabs (plurality of IM sessions) 110, 111, 112, 113, 114 (see also [0038]).

As illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses displaying a session between session tab 110, that is, ANNE which is also a first one of the plurality of IM sessions in a message history panel 120 (IM session window) (see also [0039-0040]).

As illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses representing each one of the plurality of IM sessions, that is, 110, 111, 112, 113 and 114 with ANNE, BOB, CARL DEB and GAIL respectively, wherein, each session tabs has a unique identifier for one messaging session and is marked with the name of the messaging session (see also [0040]).

With regard to claim 2:

As illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses that the user selects one of the individual, such as ANNE, from a number of messaging sessions (110-114) to initiate an instant messaging session. Furthermore, again, as illustrated in Fig. 1, Becker discloses a plurality of IM sessions, that is, conversations or sessions between "YOU SAY" (or Zak) and ANNE (see also [0041]).

With regard to claim 3:

As illustrated, for example, in the graphical user interface of Fig. 1, Becker further discloses representing each one the non-engaged messaging sessions 111-114 (non-displayed ones) of the plurality of IM sessions as a corresponding one of the plurality indicators (BOB, CARL, DEB and GAIL) in the graphical user interface window or IM session window (see also [0041]).

With regard to claim 4:

As illustrated, for example, in the graphical user interface of Fig. 1, Becker further discloses a received message identified by the sender identifier (second symbol). For example as shown in a message history panel 120, ANNE, is a unique identifier thereby indicating her message is received by the message history panel 120 (see also [0054]).

With regard to claim 5:

As illustrated, for example, in the graphical user interface of Fig. 1, Becker further discloses a sent message identified by the sender identifier (third symbol). For example as shown in a message history panel 120, YOU SAY (or Zak), is a unique identifier,

thereby indicating his/her outgoing message or sent message to ANNE as shown in the message history panel 120 (see also [0054]).

With regard to claim 6:

As illustrated, for example, in the graphical user interface of Fig. 1, Becker further discloses that Zak is receiving a first message from the selected identifier or session tab, i.e., ANNE as indicated in the message history panel 120 (see also [0053-0054]).

With regard to claim 7:

As illustrated, for example, in the graphical user interface of Fig. 1, Becker further discloses a conversation between YOU SAY (or Zak) and ANNE, wherein the first identifier (first symbol) is the sender, represented by YOU SAY, indicates a beginning of the first message.

With regard to claim 8:

As illustrated, for example, in the graphical user interface of Fig. 3, Becker further discloses receiving another message (second message) by selecting identifier, DEB 113; wherein the received message is shown in the history message panel 120 (see also [0063]).

With regard to claim 9:

As illustrated, for example, in the graphical user interface of Fig. 3, Becker further discloses displaying another message (second message) by selecting identifier, DEB 113, wherein DEB is one of the plurality of IM sessions that was not-engaged (not displayed) in conversation (see also [0063]).

With regard to claim 10:

As illustrated, for example, in the graphical user interface of Figs. 1 or 3, Becker further discloses representing the first one of the plurality of IM sessions (110 through 114) with a corresponding one of the plurality indicators (ANNE through GAIL) in the graphical user interface (IM session window) (see also [0063]).

With regard to claim 11:

As illustrated, for example, in the graphical user interface of Fig. 1, Becker further discloses representing the first one, which is, ANNE 110, of the plurality of IM sessions (110 through 114) as a corresponding one of the plurality indicators (ANNE through GAIL) in the graphical user interface window (IM session window).

With regard to claim 14:

As illustrated, for example, in the graphical user interface of Fig. 3, Becker further discloses displaying another message (second message) by selecting the identifier, DEB 113 that corresponds to the second one of the plurality of IM sessions (sessions 110 through 114) (see also [0063]).

With regard to claim 15:

Becker discloses filtering, sorting, that is ranking (or prioritizing) each one of the pluralities of session pals or indicators, such as ANNE through GAIL according to the user specified criteria or field (see [0044]).

With regard to claim 16:

Becker further discloses that the sorting or ranking (prioritizing) each one of the plurality of indicators (e.g., ANNE through GAIL) includes prioritizing each one of the plurality of indicators (ANNE through GAIL) in order of activity (e.g. online and/or

offline) of the IM session that corresponds to each one of the plurality of session tab indicators. For example, the pals, ANNE through GAIL can be sorted according to user specified activities, such as pal's online and/or offline status, pal's location, pal's device presence, pal's availability and so forth (see [0044]).

With regard to claim 17:

Becker also discloses that the activity of the IM session includes at least one of a group, such as ANNE consisting of receiving a message from Zak in the IM session (Fig. 3); ANNE is also sending a message to Zak in the IM session (Fig. 3); and the conversation between ANNE and Zak is shown displayed in the IM session (Fig. 3).

With regard to claim 20:

Becker also discloses receiving one or more messages in a selected one of the plurality of IM sessions ([0041]). Becker also discloses indicating (via visual means, e.g., icon, color, or any coding scheme) the one or more messages that are received by one or more session tabs or indicators that corresponds to the selected session ([0041]).

With regard to claim 22:

As illustrated in Fig. 1, Becker discloses a graphical user interface having multiple messaging sessions (instant messaging) management architecture. The graphical user interface includes a message history panel 120 (a conversation window). Becker also discloses indicating (via visual means, e.g., icon, color, or any coding scheme) the one or more messages that are received (in the message history

panel 120) by one or more session tabs or indicators that corresponds to the selected session ([0041]).

With regard to claim 23:

As illustrated in Fig. 1, Becker discloses a graphical user interface having multiple messaging sessions (instant messaging) management architecture. The graphical user interface includes a message history panel 120 (a conversation window). The graphical interface also includes a plurality of session tabs (ANNE through GAIL) (indicators) wherein each one of the plurality of session tabs (indicators) represent a corresponding one of a plurality of IM sessions ([0038-0040]).

With regard to claim 24:

Becker discloses a system for instant messaging including, among other things, a processor, a display coupled to the processor; a network coupled to the processor; a memory coupled to the processor ([0006-0007], and [0036]), wherein the memory includes instruction that when executed by the processor cause the processor to provide a plurality of instant messaging session. For example, as illustrated, in the graphical user interface of Fig. 1, Becker discloses a variable number of session tabs (plurality of IM sessions) 110, 111, 112, 113, 114 (see also [0038]).

Also, as illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses displaying a session between session tab 110, that is, ANNE which is also a first one of the plurality of IM sessions in a message history panel 120 (IM session window) (see also [0039-0040]).

Furthermore, as illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses representing each one of the plurality of IM sessions, that is, 110, 111, 112, 113 and 114 with ANNE, BOB, CARL DEB and GAIL respectively, wherein, each session tabs has a unique identifier for one messaging session and is marked with the name of the messaging session (see also [0040]).

With regard to claim 25:

Becker further discloses that the processor is coupled to the network via a wireless network ([0006-0007], and [0036]).

With regard to claim 26:

Becker further discloses that a handheld mobile user terminal or PDA, wherein the processor and the display are included in the mobile user terminal (see [0036], [0048]).

With regard to claim 27:

Becker discloses a PDA, a mobile user terminal ([0036] and [0048]). The mobile user terminal includes processor, a display coupled to the processor; a wireless network coupled to the processor; a memory coupled to the processor ([0006-0007], and [0036]), wherein the memory includes instruction that when executed by the processor causes the processor to provide a plurality of instant messaging session. For example, as illustrated, in the graphical user interface of Fig. 1, Becker discloses a variable number of session tabs (plurality of IM sessions) 110, 111, 112, 113, 114 (see also [0038]).

Also as illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses displaying a session between session tab 110, that is, ANNE which is also a first one of the plurality of IM sessions in a message history panel 120 (IM session window) (see also [0039-0040]).

Furthermore, as illustrated, for example, in the graphical user interface of Fig. 1, Becker discloses representing each one of the plurality of IM sessions, that is, 110, 111, 112, 113 and 114 with ANNE, BOB, CARL DEB and GAIL respectively, wherein, each session tabs has a unique identifier for one messaging session and is marked with the name of the messaging session (see also [0040]).

Becker also discloses that the activity of the IM session includes at least one of a group, such as ANNE consisting of receiving a message from Zak in the IM session (Fig. 3).

As illustrated in Fig. 1, Becker further discloses that Zak is receiving a first message from the selected identifier or session tab, i.e., ANNE as indicated in the message history panel 120 (see also [0053-0054]).

Becker also discloses filtering, sorting, that is ranking (or prioritizing) each one of the plurality of session pals or indicators, such as ANNE through GAIL according to the user specified criteria or field (see [0044]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2173

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker et al (US Pub No 2002/0130904) in view of Vaananen (US Pub No 20040014456.)

With regard to claims 12 and 13:

As illustrated, for example, in the graphical user interface of Figs. 1 through 8, Becker discloses click-able or selectable session tabs 110 through 114. These session tabs are selectable either with a mouse/keyboard keys (see also [0061-0063]). Furthermore, Becker does disclose displaying another session (e.g. session with DEB, Fig. 4) of the plurality of IM session (sessions 110-114) by selecting session tab DEB. But Becker fall short to call these selectable session tabs as hot keys. Becker also fails to disclose that selecting a hot key includes selecting a numbered key that corresponds to one of the plurality of sessions.

Vaananen discloses choosing a recipient or contacts with a dedicated keyboard accelerator, hot key, dedicated key or any combinations (see [0056]). Vaananen also discloses a hot key includes a numerical key/button, (e.g., "9") associated with a recipient or associated with the sender of a message ([0079]).

Becker and Vaananen are analogous art because they are from same field of endeavor, i.e., instant messaging. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to substitute the hot keys of Vaananen for the session tabs of Becker because Vaananen teaches it is simple to select a recipient

or session ([0056]). Therefore, it would have been obvious to combine Vaananen with Becker to obtain the invention as specified in claims 12 and 13.

6. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker et al (US Pub No 2002/0130904) in view of Helfman et al (US Pat No 6,396,513).

With regard to claims 18 and 19:

While Becker discloses filtering, sorting or ranking session tabs or pal's (e.g., ANNE through GAIL) according to their activities ([0044]), but Becker does not disclose expressly that each of the plurality of indicators includes assigning the displayed IM session a lowest priority and/or highest priority.

Helfman discloses prioritizing and ranking of the mailboxes (session identifier), such as first (highest), second, and third (lowest). FIG. 5 illustrates six mailboxes, on the left side, and their assigned priorities, indicated by numbers (column 3, lines 56-65).

Becker and Helfman are analogous art because they are from same field of endeavor, i.e., electronic messaging. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide the sorting/ranking mechanism ([0044]) of Becker with prioritizing (highest or lowest). As a result of prioritizing the message box or (session tabs) user will be able to easily and quickly locate or access messages which are most important or less important in no time (column 8, lines 36-54). Therefore, it would have been obvious to combine Vaananen with Becker to obtain the invention as specified in claims 18 and 19.

Allowable Subject Matter

7. Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: while Becker discloses receiving none, one or more messages in engaged and/or non-engaged sessions, but Becker fails to disclose if the message received exceeds a pre-selected threshold to display a symbol in the session tab to indicate said received messages. Or in claim language Becker fails to disclose “... *if the number of the plurality of messages exceeds a pre-selected number then: indicating the plurality of messages are received in the indicator that corresponds to the selected session includes: displaying a fourth symbol in the indicator that corresponds to the selected session.*”

Furthermore, while Helfman et al (6,396,513) discloses that the user may choose to be informed when the total number of unread messages exceeds a threshold, but Helfman does not disclose displaying in the indicator a symbol associated with the exceeded message that corresponds to the selected session.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 6:30 ET. If attempts

Art Unit: 2173

to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadasso Hailu



May 20, 2004